UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/539
23 October 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 110 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Right to development

Report of the Secretary-General

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 4	2
II.	OVERALL ACTIVITIES OF THE UNITED NATIONS SYSTEM IN THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT	5 - 10	2
III.	CONSULTATIONS WITH THE EXECUTIVE SECRETARIES OF THE REGIONAL ECONOMIC COMMISSIONS	11 - 13	4
IV.	CONSULTATIONS WITH THE WORLD BANK	14 - 16	5
V.	THE RIGHT TO DEVELOPMENT AND THE RESTRUCTURING PROCESS OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS/CENTRE FOR HUMAN RIGHTS	17	5

96-28768 (E) 061196 071196

I. INTRODUCTION

1. At its fiftieth session, the General Assembly, in adopting resolution 50/184 of 22 December 1995, reaffirmed the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights.

2. In resolution 50/184, the Assembly requested the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development, which was proclaimed by the General Assembly on 4 December 1986, in resolution 41/128; to ask the Centre for Human Rights of the Secretariat to provide a programmatic follow-up on the implementation of the Declaration, as part of the efforts to implement the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993; and to inform the General Assembly at its fifty-first session of the activities of the United Nations system for the implementation of the Declaration on the Right to Development.

3. In paragraph 7 of resolution 50/184, the General Assembly requested the United Nations High Commissioner for Human Rights to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development. In this context it is worth mentioning that the United Nations Development Programme has provided support to the technical cooperation programme in the field of human rights by designating a highly qualified specialist as a coordinator of the related voluntary fund.

4. The present report should be viewed in light of the aforementioned paragraphs of General Assembly resolution 50/184.

II. OVERALL ACTIVITIES OF THE UNITED NATIONS SYSTEM IN THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

5. The Commission on Human Rights, at its fifty-second session, held at Geneva from 18 March to 26 April 1996, was able, for the first time, to adopt by consensus a resolution concerning the right to development (resolution 1996/15 of 11 April 1996). This was an important achievement which should open new avenues for international cooperation in the field of human rights. The Commission decided, inter alia, to:

> "establish an intergovernmental group of experts with a mandate to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, bearing in mind the conclusions of the Working Group on the Right to Development, established by the Commission on Human Rights in resolution 1993/22, and the conclusions of the World Conference on Human Rights and of the four world conferences (the United Nations Conference on Environment and Development,

the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women: Action for Equality, Development and Peace), and that:

"(a) Such working group be established for a two-year period;

"(b) The working group elaborate concrete and practical measures for the implementation and promotion of the right to development and submit a progress report to the Commission on Human Rights at its fifty-third session; the working group shall focus on the development of such a strategy, which should include recommendations for further practical measures for implementation and promotion, and report to the Commission at its fifty-fourth session;

"(c) The members of the working group will be appointed on the basis of equitable geographical representation, in consultation with the regional groups, and of their competence and acquired experience in this field; and urges that they accomplish their mandate;

"(d) The working group shall be composed of 10 experts, nominated by Governments, to be appointed by the Chairman of the Commission on Human Rights;

"(e) The working group experts will be in consultation with the treaty bodies and with the United Nations High Commissioner for Human Rights on all issues relevant to the implementation of the right to development."

6. The first session of the new working group was scheduled for the end of October 1996.

7. As was noted by the Working Group on the Right to Development in its report on its fifth session, in 1995 (E/CN.4/1996/24), several difficulties had been encountered in the past in the cooperation among United Nations organs, specialized agencies and the Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights. It is encouraging that positive signs can be found in the experience of the recent past. A number of United Nations organs and specialized agencies have established or intensified cooperation with each other, as exemplified by the cooperation initiated by the United Nations High Commissioner for Human Rights with the World Bank and the regional economic commissions.

8. With regard to the implementation of the Declaration on the Right to Development by the organizations, funds, programmes and specialized agencies of the United Nations, it should be again stressed that the right to development should be seen as the realization of an economic, political, social and cultural order in which both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights can be enjoyed as fully as possible. The United Nations High Commissioner for Human Rights/Centre for Human Rights receives diversified and complex information, relating to a broadly interpreted concept of the right to development, from various parts of the United Nations system, and requiring systematic analysis.

9. Corresponding with developments in the field, the United Nations High Commissioner for Human Rights is in the process of generating a programme of action for the implementation of the right to development. Central issues which are recurring with respect to policy development are:

- How the concept of the right to development can be translated into programmes of action to be incorporated at the national level; and

- What ways and means are available to promote the activities of the United Nations system aimed at the realization of the right to development as the vehicle for the implementation of all human rights for all.

10. It is vital to recognize that the right to development is related to all human rights, perceived as equal, interrelated and interdependent. Participation is an essential component of the right to development and is a means of stabilizing democracy at the national and international levels. The United Nations High Commissioner for Human Rights has stressed that the concept of the right to development should contribute to combating social, economic and political exclusion and alienation. Participation in development should also be a way for the individual to participate in the community in which he or she lives. The context for the programmes aimed at the implementation of the right to development is provided by the internally intertwined triad proclaimed by the World Conference on Human Rights: democracy, development and respect for human rights.

III. CONSULTATIONS WITH THE EXECUTIVE SECRETARIES OF THE REGIONAL ECONOMIC COMMISSIONS

11. On 18 July 1996, the United Nations High Commissioner for Human Rights and the five executive secretaries of the regional economic commissions met at United Nations Headquarters to discuss the possibilities of cooperation for the implementation of the right to development. The group was joined by the Secretary-General.

12. The five executive secretaries - Mr. K. Y. Amoaka, Economic Commission for Africa; Mr. Y. Berthelot, Economic Commission for Europe; Mr. H. El-Beblawi, Economic and Social Commission for Western Asia; Mr. A. Mooy, Economic and Social Commission for Asia and the Pacific; and Mr. G. Rosenthal, Economic Commission for Latin America and the Caribbean - welcomed the initiative of the High Commissioner and noted that the implementation of the right to development clearly forms part of their mandates.

13. Several possibilities of cooperation were discussed, including the idea of jointly developing indicators related to the right to development and of organizing seminars in which both the Office of the High Commissioner and the regional economic commissions, as well as national planning institutions, specialized agencies and other United Nations organs, non-governmental organizations and academic experts would participate. Several projects to facilitate cooperation with the regional economic commissions are under preparation by the High Commissioner.

IV. CONSULTATIONS WITH THE WORLD BANK

14. In 1995 contacts were established between the Office of the United Nations High Commissioner for Human Rights and the World Bank. The contacts led to consultations between the two on 24 and 25 July 1996 in Washington, with a view to exploring, in the context of the programmes aimed at sustainable development, various aspects of possible cooperation.

15. Both the United Nations High Commissioner for Human Rights, José Ayala-Lasso, and the President of the World Bank, James D. Wolfensohn, underscored the need for close cooperation and declared their determination to create conditions to that end. It was a clearly shared view that the relevant units of the World Bank and the United Nations human rights programme should cooperate in the following areas:

- exchange of information and cooperation in the preparation of country projects;
- exchange of expertise with regard to reconstruction and development assistance in the transition to democracy;
- cooperation of field offices;
- building national capacities for governance and rule of law/promotion and protection of human rights;
- human rights education.

16. The consultations undertaken by representatives of the two institutions have proven to be substantive and fruitful and have provided a good opportunity for the staff of the World Bank and the United Nations High Commissioner for Human Rights/Centre for Human Rights to learn more about each other's programmes and methods of work.

V. THE RIGHT TO DEVELOPMENT AND THE RESTRUCTURING PROCESS OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS/ CENTRE FOR HUMAN RIGHTS

17. Implementation of the right to development has been given special importance in the restructuring process of the United Nations High Commissioner for Human Rights/Centre for Human Rights. A research and right to development branch has been established, with a mandate to address all possible aspects of the implementation of this right. The objective will be to develop an integrated and multidimensional strategy for the implementation, coordination and promotion of the right to development. This strategy, in accordance with the Declaration on the Right to Development, should also aim at: (a) facilitating action to be taken by relevant bodies of the United Nations system, international development and financial institutions, and non-governmental organizations; (b) promoting national implementation of the right to development through coordination with State-appointed officials; (c) identifying obstacles at the national and international levels; and (d) promoting awareness about the content and importance of the right to development, including through information and educational activities.